

United States District Court

EASTERN DISTRICT OF TEXAS
PARIS DIVISION

FILED-CLERK
U.S. DISTRICT COURT

05 JUN 16 PM 1:36

TEXAS-EASTERN

KATHERINE HOPPER

§

§

V.

§

§

Commissioner of Social
Security Administration

§

§

BY
CASE NO. 4:04cv318
(Judge Schell/Judge Bush)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

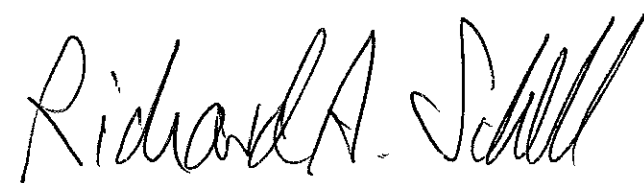
Came on for consideration the Report of the United States Magistrate Judge in this action for judicial review of the administrative denial of Social Security Disability Insurance Benefits and Supplemental Security Income Payments, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On May 23, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendations that the decision of the commissioner should be reversed.

As neither party has filed objections to the Report and Recommendation, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the decision of the Commissioner shall be and is hereby **REVERSED** and the cause **REMANDED** with instructions that the ALJ reconsider and fully evaluate the opinions of Plaintiff's

treating physician. All motions by either party not previously ruled on are hereby
DENIED.

SIGNED this 15th day of June, 2005.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style with a prominent "R" and "S".

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE